

***United States Court of Appeals  
for the Second Circuit***



**STATEMENT**



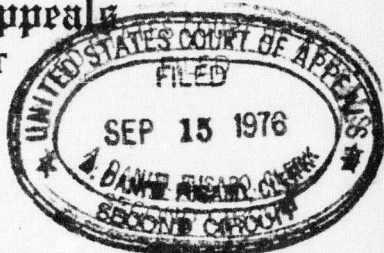
# ORIGINAL 76-7270

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**United States Court of Appeals  
FOR THE SECOND CIRCUIT**

Docket No. 76-7270



SOPHIE RUSKAY, *et al.*,  
*Plaintiffs-Appellants,*  
*versus*

CHAUNCEY L. WADDELL *et al.*,  
*Defendants-Appellees.*

ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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**STATEMENT OF DEFENDANT-APPELLEE  
UNITED FUNDS, INC.**

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Tel.: (212) 752-5800

*Of Counsel:*  
ROBERT EHRENBARD  
MICHAEL A. BUTTERWORTH

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**United States Court of Appeals  
FOR THE SECOND CIRCUIT**

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Docket No. 76-7270

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SOPHIE RUSKAY, LOUIS FELDMAN, Trustee, etc., WEBSTER  
FACTORS, Inc., and IRWIN L. FEINBERG, as Trustee etc.,

*Plaintiffs-Appellants,*

*versus*

CHAUNCEY L. WADDELL, JOE JACK MERRIMAN, CORNELIUS  
ROACH, MITCHEL J. VALICENTI, WADDELL & REED, INC. (a  
New York corporation), WADDELL & REED, INC. (a Massa-  
chusetts corporation), and UNITED FUNDS, INC.,

*Defendants-Appellees,*

and

JULIUS JENSEN III et al.,

*Defendants.*

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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**STATEMENT OF DEFENDANT-APPELLEE  
UNITED FUNDS, INC.**

Defendant-Appellee United Funds, Inc. adheres to the position taken by its counsel Francis S. Bense in his affidavit, dated January 12, 1972, in support of the motion for summary judgment (A. 413-421). It was the granting of that motion by the District Court (Metzner, D.J.) that was the basis for the order appealed from herein.

Respectfully submitted,

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S. J. WELLS  
ATTORNEYS AT LAW